

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 30, 2023**

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF WASHINGTON**

NATHAN D.,<sup>1</sup>

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:22-cv-00215-RHW

**ORDER ADOPTING REPORT  
AND RECOMMENDATION TO  
DENY PLAINTIFF'S MOTION  
FOR SUMMARY JUDGMENT  
AND GRANT DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT**

**ECF Nos. 16, 20, 22**

Before the Court is the Report and Recommendation issued by Magistrate Judge Alexander C. Ekstrom on October 2, 2023, ECF No. 22, recommending Plaintiff's Motion for Summary Judgment, ECF No. 16, be denied and Defendant's Motion for Summary Judgment, ECF No. 20, be granted. No objections were filed. After reviewing the Report and Recommendation, the Court finds the Magistrate Judge's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 Accordingly, **IT IS ORDERED:**

2 1. The Report and Recommendation, **ECF No. 22**, is **ADOPTED** in its  
3 entirety.

4 2. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is **DENIED**.

5 3. Defendant's Motion for Summary Judgment, **ECF No. 20**, is  
6 **GRANTED**.

7 The District Court Executive is directed to enter this order, **ENTER**  
8 **JUDGMENT** in favor of Defendant, forward copies to counsel and Magistrate  
9 Judge Ekstrom, and **CLOSE THE FILE**.

10 DATED October 30, 2023.

11 *s/Robert H. Whaley*  
12 ROBERT H. WHALEY  
13 Senior United States District Judge  
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